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13

14 **UNITED STATES DISTRICT COURT**

15 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

16

17 CLRB HANSON INDUSTRIES, LLC d/b/a  
18 INDUSTRIAL PRINTING, and HOWARD  
19 STERN, on behalf of themselves and all others  
similarly situated,

20

Plaintiffs,

21

v.

22

GOOGLE, INC.,

23

Defendant.

24 CASE NO. C 05-03649 JW

25 **STIPULATION AND [PROPOSED]  
ORDER CONTINUING HEARING  
DATE FOR MOTION TO DISMISS  
AND ADVANCING CASE  
MANAGEMENT CONFERENCE**

26 *(Santa Clara Superior Court  
Case No. I-05-CV-046409)*

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WHEREAS, on November 14, 2005, plaintiffs CLRB Hanson Industries, LLC, dba Industrial Printing, and Howard Stern (“Plaintiffs”) filed their First Amended Complaint against defendant Google, Inc. (“Defendant”),

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WHEREAS, on January 3, 2006, Defendant filed a Motion to Dismiss Plaintiffs’ First Amended Complaint and noticed a hearing date for March 6, 2006,

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WHEREAS, on January 5, 2006, the Court ordered, pursuant to the parties’ stipulation, that the Joint Case Management Statement deadline be continued to April 21, 2006, and the initial Case Management Conference be set for May 1, 2006,

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30 **STIPULATION AND [PROPOSED] ORDER  
CONTINUING HEARING DATE FOR MOTION TO  
DISMISS AND ADVANCING CASE MANAGEMENT  
CONFERENCE**

31 **CASE NO. 05-03649 JW**

32 BY060470.037

WHEREAS, on January 31, 2006, the Court, on its own motion, continued the hearing date for Defendant's Motion to Dismiss to March 13, 2006,

WHEREAS, the parties agree that judicial economy and efficiency would best be served by combining the hearing date for Defendant's Motion to Dismiss and the initial Case Management Conference, setting both to occur on April 3, 2006,

THE PARTIES THEREFORE STIPULATE and respectfully request that the Court:

- (1) Continue the presently set March 13, 2006 hearing date for Defendant's Motion to Dismiss to April 3, 2006, at 9:00 a.m.; Defendant will serve reply papers no later than March 20, 2006;
  - (2) Advance the April 21, 2006 Joint Case Management Statement deadline to March 24, 2006; and
  - (3) Advance the presently set May 1, 2006 Case Management Conference to April 3, 2006, at 10:00 a.m.

DATED: February 17, 2006

PERKINS COIE LLP

By \_\_\_\_\_ /S/  
M. Christopher Jhang  
Attorneys for Defendant,  
Google, Inc.

DATED: February 17, 2006

## ALEXANDER, HAWES & AUDET, LLP

By \_\_\_\_\_ /S/  
Ryan M. Hagan  
Attorneys for Plaintiffs  
CLRB Hanson Industries, LLC,  
dba Industrial Printing, and Howard Stern and the  
Proposed Class

## ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: \_\_\_\_\_, 2006.

Honorable James Ware  
United States District Court Judge

## **PROOF OF SERVICE**

I, Susan E. Daniels, declare:

I am a citizen of the United States and am employed in the County of San Francisco, State of California. I am over the age of 18 years and am not a party to the within action. My business address is Perkins Coie LLP, 180 Townsend Street, 3rd Floor, San Francisco, California 94107-1909. I am personally familiar with the business practice of Perkins Coie LLP. On February 17, 2005, I served the following document(s):

**STIPULATION AND [PROPOSED] ORDER CONTINUING HEARING DATE  
FOR MOTION TO DISMISS AND ADVANCING CASE MANAGEMENT  
CONFERENCE**

by placing a true copy thereof enclosed in a sealed envelope addressed to the following parties:

William M. Audet, Esq.  
Ryan M. Hagan, Esq.

Attorney for Plaintiffs and  
the Proposed Class

Ryan M. Hagan, Esq. the Proposed Class  
Jason Baker, Esq.

JASON BAKER, Esq.  
ALEXANDER J.

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the Proposed Class

XXX (By Mail) I caused each envelope with postage fully prepaid to be placed for collection and mailing following the ordinary business practices of Perkins Coie LLP.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this declaration was executed at San Francisco, California.

DATED: February 17, 2005.

/S/

Susan E. Daniels